

**CHAPTER 19**  
**Building Regulations**

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## **ARTICLE 1**

### **Building Code Resolution**

*Resolution No. 99-4*

*March 22, 1999*

#### **A RESOLUTION AMENDING SECTION VII OF THE OTERO COUNTY BUILDING CODE RESOLUTION**

WHEREAS, Section 30-28-201, C.R.S., authorizes the Board of County Commissioners in the counties of the State of Colorado to adopt a building code for the regulation of the construction or alteration of dwellings, buildings and structures, together with plumbing and electrical installation therein or in connection therewith; and

WHEREAS, pursuant to said Section 30-28-201, C.R.S., the Board of County Commissioners adopted the National Electrical Code, 1996 Edition, on the 4th day of March, 1996; and

WHEREAS, Section 30-28-204, C.R.S., provides that the Board of County Commissioners of Otero County, Colorado, may amend and alter from time to time, as deemed necessary, the Building Code Resolution following a public hearing, for which notice has been given as provided in Section 30-28-204, C.R.S. Said public hearing was held on the 22nd day of March, 1999; and

WHEREAS, the Board of County Commissioners of Otero County is desirous now of amending the Otero County Building Code Resolution, Adoption of the 1996 Edition of the Uniform Building Code and its related publications, by amending Section VII of said resolution to read as follows:

That a document known as the National Electrical Code, 1999 Edition, a standard of the National Fire Protection Association, for Electrical Wiring and Apparatus, a copy of which is on file with the Building Official as a public record, be and is hereby adopted by title and with such other additions and/or deletions and all subsequent editions, as stipulated by the State of Colorado Electrical Board, as the code of rules for all electrical methods, materials and fixtures within the County of Otero, said code to be administered by the County of Otero Electrical Inspector as set forth in the Electrical Inspection Agreement approved July 7, 1980.

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Otero County, Colorado, as follows:

That Section VII of the Otero County Building Code Resolution, Adoption of the 1996 Edition of the Uniform Building Code and its related publications, be amended as stated above.

## **ARTICLE 2**

### **Fire Code Adoption and Revision Commission**

*Resolution No. 99-11*

*June 28, 1999*

#### **FORMATION OF A PERMANENT COMMISSION KNOWN AS THE FIRE CODE ADOPTION AND REVISION COMMISSION**

WHEREAS, pursuant to Section 30-15-401.5, C.R.S., as amended, the Board of County Commissioners of Otero County has the power to adopt ordinances to provide for minimum fire safety standards which shall be modeled upon those contained in the Uniform Fire Code; and

WHEREAS, prior to the adoption of such fire safety standards, the formation of a permanent commission known as the Fire Code Adoption and Revision Commission shall be approved by the Board; and

WHEREAS, the Board desires for the benefit of the health, safety and welfare of the citizens of Otero County to form said commission, which shall consist of the Board or its designees, the fire chiefs whose departments or districts lie partially or wholly within Otero County and such other members as the Board may appoint.

NOW, THEREFORE, BE IT RESOLVED THAT the Board of County Commissioners of Otero County hereby creates a permanent commission know as the Fire Code Adoption and Revision Commission, and hereby appoints the fire chiefs or their designated alternates from the La Junta Rural Fire Protection District, the Rocky Ford Rural Fire Protection District, the Fowler Rural Fire Protection District, the Manzanola Rural Fire Protection District, the Town of Cheraw and the Otero County Land Use Administrator or his designee.

BE IT FURTHER RESOLVED that said appointees shall serve at the pleasure of the Board and receive no compensation or reimbursement of expenses for their services on said Commission.

### **ARTICLE 3**

#### **1997 Uniform Fire Code**

*Ordinance No. 99-2  
December 20, 1999*

AN ORDINANCE ADOPTING THE 1997 EDITION OF THE UNIFORM FIRE CODE, AND ALL SUBSEQUENT EDITIONS, AS PUBLISHED BY THE INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS, AS MODIFIED HEREIN, AND PROVIDING FOR PENALTIES FOR VIOLATION THEREOF

WHEREAS, the Board of County Commissioners of Otero County, Colorado, has determined that it would be in the best interest of the citizens of Otero County to adopt the Uniform Fire Code; and

WHEREAS, Section 30-15-401.5, C.R.S., provides for a procedure and authority to adopt said code.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF OTERO COUNTY, COLORADO, as follows:

#### **Section 1. Adoption of Uniform Fire Code.**

Pursuant to Section 30-15-401.5, C.R.S., as amended, *there is hereby adopted, as the minimum fire safety standards for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosions, that* certain code known as the Uniform Fire Code, as published by the International Conference of Building Officials and the Western Fire Chiefs Association, being particularly the 1997 edition thereof, and any amendments, modifications and all subsequent editions, as amended hereinbelow. Such code is hereby adopted for enforcement, as an ordinance of the County comprised of that area of the County within the jurisdiction of the La Junta Rural Fire Protection District, the Rocky Ford Rural Fire Protection District, the Manzanola Rural Fire Protection District and the Fowler Rural Fire Protection District. Such code is hereby

adopted and incorporated as fully as if set forth at length in this section, and the provisions of such code shall be controlling within the jurisdictional limits of those fire districts set forth in this section. Should a conflict arise or exist between the provisions of the Uniform Building Code, the Uniform Mechanical Code, the Uniform Plumbing Code and the Uniform Electrical Code, as they have been or may be adopted by the County, and the provisions of the Uniform Fire Code, as adopted by this ordinance, the applicable provisions of the Uniform Building Code, the Uniform Mechanical Code, the Uniform Plumbing Code and the Uniform Electrical Code, as adopted by the County, shall control and take precedence over any provisions of the Uniform Fire Code, as adopted, with which they may be in conflict. All subsequent modifications or additions or editions are hereby adopted without further action by the County.

## **Section 2. Applicability of Code and standards to farms or ranches.**

Pursuant to the provisions of Section 30-15-401.5(6), C.R.S., as amended, the provisions of the 1997 Uniform Fire Code, as adopted in this ordinance, shall not apply to farms or ranches located within the unincorporated area of the County within the effective jurisdiction of this article. A property shall be considered to be a farm or ranch, for the purposes of this article, if it is classified as agricultural and so listed by the County Assessor for tax purposes in accordance with Section 19-1-102, C.R.S., as amended.

## **Section 3. Establishment and duties of bureau of fire prevention.**

The Uniform Fire Code, 1997 edition, shall be enforced by the Chiefs of the various fire protection districts within the County in which this article shall be in effect. The Chief in charge of the enforcement of this ordinance shall be approved by the Boards of Directors of the respective fire protection districts.

## **Section 4. Members of the Fire Code Adoption and Revision Commission.**

There is hereby established, pursuant to Section 30-15-401.5(2), C.R.S., the Fire Code Adoption and Revision Commission. The Commission shall consist of the Board of County Commissioners for Otero County or its designees, the fire chiefs of the fire districts within Otero County and such other members as the Board of County Commissioners may appoint. All members serve at the pleasure of the Board of County Commissioners and receive no compensation or reimbursement of expenses for their services on the Commission.

## **Section 5. Jurisdiction of the County Fire Code Adoption and Revision Commission.**

The Commission shall act in its advisory capacity to the Board of County Commissioners with regard to the County's adoption of ordinances providing for minimum fire safety standards within the unincorporated area of the County. Such County Fire Code Adoption and Revision Commission shall have jurisdiction to review any alleged violation of the provisions of this article as to which representatives of a fire protection district have requested that legal enforcement action be undertaken by the appropriate law enforcement agency. No fire protection district which has jurisdiction to enforce the provisions of this article shall refer an alleged violation of this article to the office of the District Attorney for prosecution unless and until the alleged violation has been reviewed by the Commission and a majority of the County Fire Code Adoption and Revision Commission members have recommended that the alleged violation be referred to the District Attorney's office for enforcement action. The County Fire Code Adoption and Revision Commission shall have jurisdiction to establish protocols or rules for both designated fire inspectors or fire marshals as well as the manner in which such inspections shall be conducted. Any such rules or protocols recommended by the County Fire Code Adoption and Revision Commission, upon their adoption by the Board of County Commissioners, shall be binding upon those fire protection districts authorized to enforce such codes and standards by this article. The County Attorney's office and Board of County Commissioners shall be notified, by the appropriate fire district,

as to the circumstances and particulars of any alleged violation of this article should the matter be referred to the District Attorney's office for criminal prosecution.

#### **Section 6. Term defined.**

Wherever the word "jurisdiction" is used in the Uniform Fire Code, it shall mean the specific fire protection district within whose boundaries such code has been adopted by this article for law enforcement purposes. Pursuant to this article, the La Junta Rural Fire Protection District, the Rocky Ford Rural Fire Protection District, the Manzanola Rural Fire Protection District and the Fowler Rural Fire Protection District shall have the legal authority and responsibility to enforce this article within the geographic boundaries of their respective districts.

#### **Section 7. Deletions from Uniform Fire Code.**

The following provisions of the 1997 Uniform Fire Code are hereby expressly deleted and not adopted hereby for enforcement purposes:

Article 1, Section 105, entire, permits;

Article 11, Section 1102, entire, incinerators and open burning;

Appendix I-A, entire, regulations applicable to existing buildings;

Appendix I-B, entire, requirements for existing high rise;

Appendix II-A, entire, suppression and control of hazardous fire areas;

Appendix II-B, entire, protection of flammable or combustible liquids in tank in locations that may be flooded;

Appendix II-D, entire, rifle ranges; and

Appendix VI-B, entire, model citation program.

#### **Section 8. Appeals.**

If a property owner or resident thinks the authorized fire code inspector has not properly applied the provisions of the fire code, or that the true intent and meaning of the fire code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the fire chief to the County Fire Code Board of Appeals, as appointed by the Board of County Commissioners, pursuant to a separate resolution of the Board of County Commissioners, within thirty (30) days from the date of the decision appealed.

#### **Section 9. New materials, processes or occupancies which may require permits.**

The County Fire Code Adoption and Revision Commission and the fire chiefs of their jurisdictions shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies for which permits are required, in addition to those enumerated in the fire code. The chiefs within the respective fire protection districts authorized to enforce this code, pursuant to this article, shall post such list in a conspicuous place in his office and distribute copies thereof to interested persons.

#### **Section 10. Penalties for violation of fire code.**

a. Any person who shall violate any of the provisions of this fire code or standards hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the County Fire Code Board of Appeals or by a court of competent jurisdiction, within the time allowed by the authorized fire code inspector within the jurisdiction of those fire protection districts for which this article has been adopted, shall severally for each and every violation and noncompliance, respectively, be guilty of a misdemeanor, punishable as a violation of a County ordinance in accordance with the provisions of Section 30-15-401, C.R.S., as amended, and subject to a maximum fine of six hundred dollars (\$600.00).

b. The application of the criminal penalty in subsection a. above shall not be held to prevent or enjoin the court-enforced removal of prohibited conditions under this article.

#### **Section 11. No private cause or action established.**

Notwithstanding the adoption of this article, the Uniform Fire Code, 1997 edition, the creation of a County Fire Code Adoption and Revision Commission, the creation of a County Fire Code Board of Appeals and the appointment of such boards and commissions, as well as the enumeration in this article and the 1997 edition of the Uniform Fire Code adopted hereby of certain duties and responsibilities of such officials, commissions and personnel, nothing in this article or any code, standard, regulation, protocol or procedure adopted pursuant thereto, or the enforcement or failure to enforce this article or any rule, regulation, protocol, code or standard adopted pursuant hereto, shall be construed to relieve any person owning buildings, structures or property governed by this article, or any code, standard, rule, regulation or protocol adopted pursuant to this article, from full responsibility and liability for any violations of this article or any code, standard, rule, regulation or protocol adopted pursuant to this article. The adoption, enforcement or failure to enforce this article and any code, rule, standard, procedure or protocol adopted pursuant thereto shall not be deemed to create any liability on the part of the County, its officers, agents, servants, employees, the County Fire Code Adoption and Revision Commission, the County Fire Code Board of Appeals and any fire districts' board members, employees or volunteers, nor shall any cause of action or claim against such persons or entities be created hereby. In adopting this article, it is the intent of the Board of County Commissioners to create a duty for the benefit of the public generally and not to create a remedy or benefit for any particular individuals or classes thereof.

#### **Section 12. Preexisting nonconforming structures.**

Structures which lawfully exist within the jurisdiction of the La Junta Rural Fire Protection District, the Rocky Ford Rural Fire Protection District, the Manzanola Rural Fire Protection District and the Fowler Rural Fire Protection District prior to the effective date of the ordinance from which this section derived shall be exempt from any provisions of the Uniform Fire Code, 1997 edition, as adopted, which would require the owner, tenant or occupant to make any improvements or alterations to such structures. However, this exemption shall not apply to such a preexisting nonconforming structure should the owner, tenant or occupant make, or cause to be made, any changes to the use or occupancy of the structure after the effective date of the ordinance from which this section derived; or should the owner, tenant or occupant make, or cause to be made, any improvements or alterations to the structure for which the issuance of a building permit from the office of the County building inspector, pursuant to the applicable provisions of the Uniform Building Code, as adopted, is required.

### **Section 13. Open burning – standards adopted pursuant to state law provisions.**

The following fire safety standard is hereby adopted for all the unincorporated areas of the County, pursuant to Sections 30-15-401.5 and 30-15-401(1)(n.5), C.R.S.:

(1) The Board of County Commissioners, by resolution, may ban open fires within the unincorporated areas of the County when the danger of forest or grass fires is found to be high pursuant to Section 30-15-401(1)(n.5), C.R.S.

(2) When the Board of County Commissioners has adopted a fire ban pursuant to Section 30-15-401(1)(n.5), C.R.S., the violation of the terms thereof shall constitute a class 2 petty offense and, upon conviction, shall be punished by a fine of not more than three hundred dollars (\$300.00) for each separate violation. The penalty assessment procedure as provided in Section 16-2-201, C.R.S., may be followed by an authorized enforcement officer. In addition to the fine, persons convicted of a violation are subject to a surcharge of ten dollars (\$10.00) pursuant and subject to the provisions of Section 30-15-401(2), C.R.S.

(3) Enforcement of, and citation for violation of, the provisions of this ordinance may be pursuant to the provisions of Section 30-15-401, C.R.S., and, in addition thereto, authorized officers from each fire protection district within the County shall also have authority to enforce, and cite for, violations of this ordinance.

## **ARTICLE 4**

### **1997 Uniform Building Code**

*Resolution No. 99-22  
December 20, 1999*

### **OTERO COUNTY ADOPTION OF THE 1997 EDITION OF THE UNIFORM BUILDING CODE AND ITS RELATED PUBLICATIONS AND AMENDING ITS PREVIOUS RESOLUTION ADOPTING THE BUILDING CODE**

A resolution of the County of Otero adopting the 1997 Edition of the Uniform Building Code and its related publications regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use height, area and maintenance of all buildings or structures within the unincorporated portions of the County of Otero; providing for the issuance of permits and collection of fees therefor; providing for penalties for the violation thereof; and repealing all other resolutions and parts of resolutions that may be in conflict.

**PURPOSE OF CODES:** The provision of any building code shall be made with a reasonable consideration of, and in accordance with, a plan designed to promote the public health, safety, morals and general welfare; and the safety, protection and sanitation of such dwellings, buildings and structures. The above said purpose of codes shall meet the provisions of the Otero County Land Development Code.

**THE COUNTY COMMISSIONERS OF THE COUNTY OF OTERO DO HEREBY RESOLVE** as follows:

**Section I.** That a certain document, pursuant to Section 30-28-201, C.R.S., "Building Code," and any and all subsequent amendments, modifications and later editions, with its rights to except out buildings or structures use for the sole purpose of providing shelter for agricultural implements, farm products, livestock or poultry being exercised, two (2) copies of which are on file in the office of the County Building Official of the

County of Otero; being marked and designated Uniform Building Code, 1997 Edition, the appendix, and Uniform Building Code Standards, 1997 Edition thereto, published by the International Conference of Building Officials, be and the same is hereby adopted as the building code of the County of Otero for regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings and/or structures in the County of Otero; providing for the issuance of permits and the collection of fees therefor; providing penalties for the violation of such code; and each and all of the regulations, provisions, penalties, conditions and terms of such Uniform Building Code, 1997 Edition, and the appendix thereto, and Uniform Building Code Standards, 1997 Edition, published in 1997 by the International Conference of Building Officials, on file in the office of the Building Official, hereby referred to, adopted and made a part hereof, as if fully set out in this resolution, with exceptions, omissions and amendments thereto as set forth hereinafter and is hereby confirmed by the Board of County Commissioners of Otero County.

Section II. That where in any specific case different sections of this code, the Land Development Code of Otero County or other resolutions of the County specify different materials, methods of construction or other requirements, the most restrictive shall govern.

Section III. There is hereby established a Building Department to be administered by the Building Official, who shall be appointed by the Board of County Commissioners. The Building Official is hereby authorized and directed to enforce all provisions of this code and for such purposes he shall have the powers of a police officer.

Section IV. The determination of value or valuation under any of the provisions of this code shall be made by the Building Official.

Section V. Appeal and Review. Section 7(B) of the Otero County Land Development Code, Zoning Regulations, shall be applicable and shall be the exclusive remedy of appeals and reviews pertaining to the 1997 Edition of the "Uniform Building Code and Other Related Publications" and/or the enforcement thereof.

Section VI. The territorial jurisdiction of this resolution shall encompass the total unincorporated area of Otero County.

Section VII. That a document known as the *National Electrical Code*, 1999 Edition, a standard of the National Board of Fire Underwriters, for Electric Wiring and the Apparatus, a copy of which is on file with the Building Official as a public record, be and is hereby adopted by title and with such other additions and/or deletions as stipulated by the State of Colorado Electrical Board, as the code rules for all electrical methods, materials and fixtures within the County of Otero. Said code to be administered by the County of Otero Electrical inspector as set forth in the Electrical Inspection Agreement approved July 7, 1980.

Section VIII. That a document, with appended definitions, sketches and drawings, issued by the Colorado State Department of Public Health and known as the *Uniform Plumbing Code*, as amended, 1997 Edition, a copy of which is on file with the Building Official as a public record, be and is hereby adopted in whole as the code of rules for all plumbing methods, materials and fixtures in the County of Otero. Said code to be administered by the Otero County Health Department.

Section IX. That a document known as the *Uniform Mechanical Code*, 1997 Edition, and amendments thereto, a copy of which is on file with the Building Official as a public record, be and is hereby adopted in whole as the code of rules for all mechanical methods, materials and fixtures in the County of Otero.



Section X. That a document known as the *Uniform Housing Code*, 1997 Edition, as may be amended, a copy of which is on file with the Building Official as a public record, be and is hereby adopted in whole as the code of rules for all housing methods, materials and fixtures in the County of Otero. The purpose of which is to provide minimum requirements for the protection of life, limb, health, property, safety and welfare of the general public and the owners and occupants of residential buildings and shall apply to all buildings or portion thereof used, or designed or intended for human habitation.

Section XI. That a document known as the *Uniform Code for the Abatement of Dangerous Buildings*, 1997 Edition, as may be amended, a copy which is on file with the Building Official as a public record, be and is hereby adopted in whole as the code of rules for all dangerous buildings located in the County of Otero.

Section XII. That a document known as the *Uniform Sign Code*, 1997 Edition, as may be amended, a copy of which is on file with the Building Official as a public record, be and is hereby adopted in whole as the code of rules for all signs located in the County of Otero.

Section XIII. If any of the provisions of these Codes or their applications to any person, firm or corporation or any circumstances are held to be invalid, such invalidity shall not affect other provisions or applications of these codes. The Board of County Commissioners of Otero County hereby declares, in these regards, the provisions of these codes are wholly servable.

SECTION XIV. That a County Clerk shall certify to the adoption of this resolution and cause the same to be published.

Section XV. The following sections of the *Uniform Building Code*, 1997 Edition and the appendix thereto published by the International Conference of Building Officials, shall be subject to the following amendments, alterations and deletions:

**ADOPTION OF THE UNIFORM BUILDING CODE: ADDITIONS, DELETIONS, SUBSTITUTIONS AND MODIFICATIONS:**

(1) Change the word "Ordinance" wherever used, to "Resolution." Where the word "City" is used, such word shall be changed to "County" and said word shall refer to and mean the unincorporated portions of the County of Otero, State of Colorado; wherever the word or words "Mayor" or "City Council" are used, they shall be amended to "County Commissioners."

(2) Chapter 34, Section 3404, Moved Buildings and Temporary Buildings, is amended by adding:

"(a) No person shall move, remove or relocate any building within the limits of the County that is required by state law to have an oversize permit, except a state-approved house mover or owner of said structure after having been cleared by the applicable State of Colorado departments.

"(b) All applications for a relocation permit shall be accompanied by a fee of fifteen dollars (\$15.00) to cover the cost of the Building Official inspecting the condition of the building or structure to be moved and for the inspection of the proposed new location. Such fee is to be paid in addition to the regular building permit fee required by the building code. All relocation permits shall expire sixty (60) days from the date of issuance.

"(c) The Building Official shall cause an inspection to be made of the building or structure to be relocated and of the site upon which it is to be located in order to determine whether or not said permit shall be granted. If the building or structure to be relocated presently lies outside the County limits, the applicant shall pay a mileage fee of twenty-four cents (\$0.24) per mile for each mile actually and necessarily traveled

by the Building Official to make such inspection. Such fee shall be paid prior to the inspection of said building or structure and shall be in addition to all other fees required by this resolution."

(3) Section 105, Board of Appeals, is amended as follows:

"(a) Any person aggrieved by any decision or order of the Building Official relating to the enforcement or interpretation of the Uniform Building Code and/or its related publications, as amended, may appeal such decision or order in accordance with Section V of this resolution."

(4) Section 103, Violations, shall be amended by the addition of the following:

"(a) Violations and penalties shall be in accordance with Section 9 of the Otero County Land Development Code, Zoning Regulations."

(5) Section 104, Liability Insurance, 104.2.6 is amended to read as follows:

"(a) Liability Insurance. All state laws and County resolutions dealing with insurance for the safety of workmen and the public shall be observed in addition to any requirements contained herein."

(6) Section 107, Fees, Permit Fees, 107.2. The following valuation schedule shall be used by the Building Official in determining the valuation of the work done:

"(a) VALUATION: The following valuations shall be used in computing permit fees under this section:

	<i>"Valuation per Square Foot"</i>
1. New Residences	
1-1 Wood Frames	\$50.00
1-2 Masonry	55.00
1-3 Basements – Finished	12.00
1-4 Basements – Unfinished	10.00
2. Private Garages and/or Agricultural Buildings	
2-1 Attached – Frame	\$10.00
2-2 Attached – Masonry	12.50
2-3 Detached – Frame	17.50
2-4 Detached – Masonry	32.50
2-5 Carports open on two or more sides	6.25
2-6 Detached Metal	25.00
3. Additions	
3-1 Wood Frame	\$37.50
3-2 Masonry	42.50
3-3 Open Patios with Roof	6.25
3-4 Family Fallout Shelter	No Fee

4. Moved In	
4-1 Building or Structure	\$75.00
4-2 Manufactured Homes	75.00
5. Sign Permits	\$25.00
6. Moving Permits	\$25.00
7. Alterations or Repairs	
7-1 Contracted	Actual contract price, including plumbing, mechanical and electrical.
7-2 By Owner	Actual cost of materials, plus 50%
8. Commercial Buildings	
8-1 Contracted	Actual contract price, including plumbing, mechanical and electrical.
8-2 By Owner	Actual cost of materials, plus 50%

"The determination of value or valuation under any of the provisions of this code shall be made by the Building Official.

"(b) BUILDING PERMIT FEES. As shown in Table No. 1-A shall be amended by the following fee table.

**"Table 1-A**

<i><b>Total Valuation</b></i>	<i><b>Fee</b></i>
\$1.00 — \$500.00	\$15.00
\$501.00 — \$2,000.00	\$15.00 for the first \$500.00, plus \$2.00 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
\$2,001.00 — \$25,000.00	\$45.00 for the first \$2,000.00, plus \$9.00 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
\$25,001.00 — \$50,000.00	\$252.00 for the first \$25,000.00, plus \$6.50 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00
\$50,001.00 — \$100,000.00	\$414.50 for the first \$50,000.00, plus \$4.50 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00
\$100,001.00 — \$500,000.00	\$639.50 for the first \$100,000.00, plus \$3.00 for each additional \$1,000.00 or fraction thereof, <i>to and including \$500,000.00</i>
\$500,001.00 — \$1,000,000.00	\$2,039.50 for the first \$500,000.00, plus \$3.00 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00
\$1,000,000.00 and up	\$3,539.50 for the first \$1,000,000.00, plus \$2.00 for each additional \$1,000.00 or fraction thereof

<i><b>"Other Inspections and Fees</b></i>	
1. Inspections outside of normal business hours (minimum charge – two hours)	\$30.00 per hour*
2. Reinspection fees assessed under provisions of Section 108.8	\$30.00 per hour*
3. Inspections for which no fee is specifically indicated (minimum	\$30.00 per hour*

charge – one-half hour)	
4. Additional plan review required by changes, additions or revisions to approved plans (minimum charge – one-half hour)	\$30.00 per hour*
* Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved."	

(7) Section 107, Fees, Plan Review Fees, 107.3 shall be deleted in its entirety.

(8) Section 107, Fees, Expiration of Plan Review, 107.4 shall be deleted in its entirety.

(9) Section 109, Certificate of Occupancy, 109.1 shall be amended to include a "Group R Division III" occupancy.

(10) Appendix Chapter 3, Division 2, Agricultural Buildings and Exception shall be deleted in its entirety.

(11) Section 312.2.1, General, is amended by the addition of the following paragraph:

"Garages constructed with Group R Division III occupancies may be expanded to 1,500 square feet provided they are used solely for the purpose of parking and storing of personal vehicles and that no commercial function is conducted therein."

(12) Section 312.5, Garage Floor Surfaces, shall be amended by the addition of the following:

(a) "and shall be a minimum of six (6) inches lower than any other adjacent floor opening into the garage."

(13) Appendix Chapter 3, Division 2, Agricultural Buildings shall be deleted in its entirety.

(14) Table No. 16-C, Minimum Roof Live Loads, Reference #1 "where snow loads occur" shall be amended to read "Snow (live) load to be calculated upon 25 pounds per square foot of projected area. Combined load (dead and live) to be calculated upon a minimum of 35 pounds per square foot of projected area."

(15) Table No. 18-1-C, Foundations for Stud Bearing Walls – Minimum Requirements. Amend table to read as follows:

**"Table 18-1-C**

<i>Number of Stories</i>	<i>Thickness of Foundation Wall (inches)</i>	<i>Width of Footing (inches)</i>	<i>Thickness of Footing (inches)</i>	<i>Depth of Foundation Below Finished Grade</i>
1	8*	16*	8*	26*
2	8	18*	8*	26*
3	10	22*	10*	26*

\* Asterisk after figure indicates figure is amended."

Note: All footings shall have a minimum of two (2) #4 reinforcing bars continuous horizontally and shall be dwelled vertically to foundations every six (6) feet or provided with a continuous keyway.

(16) Section 1806, Footing Design, 1806.2 shall be amended by the addition of the enclosed herein "Exhibit A," Monolithic Footing and Foundation Designs for Unheated and/or Uncooled Detached Garages, Sheds

and Storage Buildings with clear roof spans of not more than thirty (30) feet and for heated and/or cooled buildings, footings systems must extend below frost line of twenty-six (26) inches below finished exterior grade level.

Note: Alternate designs may be submitted to the Building Official for approval.

(17) See attached Exhibit A as herein attached for the specifications required for monolithically poured concrete footings for detached noninhabited structures, as stated above.

(18) The following chapters or sections of the Appendix are deleted in their entirety:

Chapter 3, Division 2, Agricultural Buildings.

Appendix 3, Division III, Sections 331 and 332, One- and Two-Family Dwelling Code.

Appendix 12, Division 2, Sound Transmission Control.

Appendix 9, Basement Pipe Inlets.

Chapter 13, Energy Conservation in New Buildings Construction.

Appendix 33, Section 3304 to 3318, Tables A-33-A and A-34-B.

Section XVI. Mobile homes shall be allowed as permitted by the Otero County Land Development Code, Zoning Regulations, and shall be situated on a permanent footing and foundation as shown by "Exhibit B," as contained herein or as permitted by the Building Official by a similar system as may be submitted by the applicant. Building permits for mobile homes shall be a flat fee of seventy-five dollars (\$75.00). Mobile homes that are moved into existing approved mobile home parks after the final passage of this resolution shall be erected in accordance with the rules and regulations of the mobile home park owner and shall not be subject to those requirements as herein described above, unless specifically requested by the mobile home park owner.

Section XVII. A public hearing on the adoption of said Uniform Building Code, 1997 Edition, and its related publications shall be held before the Board of County Commissioners of Otero County on December 20, 1999, at 1:30 p.m. at the Otero County Courthouse, La Junta, Colorado, and the Building Official has been directed to publish notice of said public hearing in the manner and style pursuant to the schedule for which such publication is prescribed in Section 30-28-204, C.R.S.

Section XVIII. If any part, section, subsection, sentence, clause or phrase of this resolution or of the Uniform Building Code and its related publications adopted hereby is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this resolution or the Uniform Building Code and its related publications.

Section XIX. This Resolution shall become effective at 5:00 p.m. today, December 20, 1999, upon final passage and approval.

## **ARTICLE 5**

### **Amendment to 1997 Uniform Building Code**

*Resolution No. 2000-12*

*April 10, 2000*

A RESOLUTION AMENDING RESOLUTION NO. 99-22, CONCERNING ADOPTING OF THE 1997 EDITION OF THE UNIFORM BUILDING CODE AND ITS RELATED PUBLICATIONS

WHEREAS, pursuant to Resolution 99-22, the Board of County Commissioners of Otero County adopted the 1997 Edition of the Uniform Building Code and its related publications; and

WHEREAS, the Board of County Commissioners of Otero County desires to amend that Resolution to specifically delete Chapter 11, Accessibility, from the 1997 Edition of the Uniform Building Code and its related publications.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Otero County, Colorado, as follows:

1. That Resolution 99-22 is hereby amended to delete in its entirety Chapter 11, Accessibility, from the 1997 Edition of the Uniform Building Code and its related publications.
2. Except as specifically modified herein, the Resolution 99-22 shall be reaffirmed and adopted.

## **ARTICLE 6**

### **Amendments to 1997 Uniform Building Code**

*Resolution No. 2001-16*

*October 22, 2001*

A RESOLUTION AMENDING RESOLUTION NO. 99-22, CONCERNING ADOPTION OF THE 1997 EDITION OF THE UNIFORM BUILDING CODE AND ITS RELATED PUBLICATIONS.

WHEREAS, pursuant to Resolution 99-22, the Board of County Commissioners of Otero County adopted the 1997 Edition of the Uniform Building Code and its related publications; and

WHEREAS, the Board of County Commissioners of Otero County desires to amend that Resolution as more fully set forth below.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Otero County, Colorado, as follows:

1. That Resolution 99-22 is hereby amended as follows:
  - a. Section XV(2)(c) is hereby amended to read as follows:

"(c) The Building Official shall cause an inspection to be made of the building or structure to be relocated and of the site upon which it is to be located in order to determine whether or not said permit shall be granted. If the building or structure to be relocated presently lies outside the County limits, the applicant shall pay a mileage fee at the prevailing County rate for each mile actually and necessarily

traveled by the Building Official and a travel fee of thirty dollars (\$30.00) per hour for each hour actually and necessarily spent in travel by the Building Official to make such inspection."

b. Section XVI is hereby amended to read as follows:

"Section XVI. The homes/houses covered by this resolution must be set and installed in compliance with the appropriate manufacturer's installation manual.

"If Manufacturer's Installation Instructions are not available, then the following standards must be used:

"Nonpermanent installations: NCSBCS/ ANSI A225.1-1994 Manufactured Home Installation (amended);

"Permanent foundation installations: Permanent Foundation, Guide for Manufactured Housing, September, 1996 (amended); and

"Engineered Foundation Systems as required by local jurisdictions.

"If the Colorado Division of Housing Installation Handbook (updated 5/18/01) is utilized, the following will apply: pages 15 and 16 of the Handbook will be amended for use in Otero County as attached hereto.

"In no event shall less than an eight-inch nominal thickness be used on any footings in Otero County.

"Set-up inspection fees for a single-wide mobile home, manufactured home and factory-built house will be a minimum of two hundred fifty-two dollars (\$252.00) and, if the value of the home/house is greater than twenty-five thousand dollars (\$25,000.00), the fee will be calculated as provided under this resolution for any other structure."

2. Except as specifically modified herein, Resolution 99-22 shall be reaffirmed and adopted.

## **ARTICLE 7**

### **1997 Uniform Fire Code**

*Ordinance No. 2002-001*

*April 1, 2002*

AN ORDINANCE ADOPTING THE 1997 EDITION OF THE UNIFORM FIRE CODE AND ALL SUBSEQUENT EDITIONS, AS PUBLISHED BY THE INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS, AS MODIFIED HEREIN, AND PROVIDING FOR PENALTIES FOR VIOLATION THEREOF.

WHEREAS, the Board of County Commissioner of Otero County, Colorado, has determined that it would be in the best interest of the citizens of Otero County to adopt the Uniform Fire Code; and

WHEREAS, Section 30-15-401.5, C.R.S., provides for a procedure and authority to adopt said code.

NOW, THEREOFRE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF OTERO COUNTY, COLORADO, as follows:

### **Section 1. Adoption of Uniform Fire Code.**

Pursuant to Section 30-15-401.5, C.R.S., as amended, there is hereby adopted, as the minimum fire safety standards for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosions, that certain code known as the *Uniform Fire Code*, as published by the International Conference of Building Officials and the Western Fire Chiefs Association, being particularly the 1997 edition thereof, and any amendments, modifications and all subsequent editions, as amended hereinbelow. Such Code is hereby adopted for enforcement, as an ordinance of the County comprised of that area of the County within the jurisdiction of the La Junta Rural Fire Protection District, the Rocky Ford Rural Fire Protection District, the Manzanola Rural Fire Protection District and the Fowler Rural Fire Protection District. Such Code is hereby adopted and incorporated as fully as if set forth at length in this section, and the provisions of such code shall be controlling within the jurisdictional limits of those fire districts set forth in this section. Should a conflict arise or exist between the provisions of the Uniform Building Code, the Uniform Mechanical Code, the Uniform Plumbing Code and the Uniform Electrical Code, as they have been or may be adopted by the County and the provisions of the Uniform Fire Code, as adopted by this Ordinance, the applicable provisions of the Uniform Building Code, the Uniform Mechanical Code, the Uniform Plumbing Code and the Uniform Electrical Code, as adopted by the County, shall control and take precedence over any provisions of the Uniform Fire Code, as adopted, with which they may be in conflict. All subsequent modifications or additions or editions are hereby adopted without further action by the County.

### **Section 2. Applicability of Code and standards to farms or ranches.**

Pursuant to the provisions of Section 30-15-401.5(6), C.R.S., as amended, the provisions of the 1997 Uniform Fire Code, as adopted by this Ordinance, shall not apply to farms or ranches located within the unincorporated area of the County within the effective jurisdiction of this article. A property shall be considered to be a farm or ranch, for the purposes of this article, if it is classified as agricultural and so listed by the County Assessor for tax purposes in accordance with Section 19-1-102, C.R.S., as amended.

### **Section 3. Establishment and duties of bureau of fire prevention.**

The Uniform Fire Code, 1997 edition, shall be enforced by the Chiefs of the various fire protection districts within the County in which this article shall be in effect. The Chief in charge of the enforcement of this ordinance shall be approved by the Boards of Directors of the respective fire protection districts.

### **Section 4. Members of the Fire Code Adoption and Revision Commission.**

There is hereby established, pursuant to Section 30-15-401.5(2), C.R.S., the Fire Code Adoption and Revision Commission. The Commission shall consist of the Board of County Commissioners for Otero County or its designees, the fire chiefs of the fire districts within Otero County and such other members as the Board of County Commissioners may appoint. All members serve at the pleasure of the Board of County Commissioners and receive no compensation or reimbursement of expenses for their services on the Commission.

### **Section 5. Jurisdiction of the County Fire Code Adoption and Revision Commission.**

The Commission shall act in its advisory capacity to the Board of County Commissioners with regard to the County's adoption of ordinances providing for minimum fire safety standards within the unincorporated area of the County. Such County Fire Code Adoption and Revision Commission shall have jurisdiction to review any alleged violation of the provisions of this article as to which representatives of a fire protection district have requested that legal enforcement action be undertaken by the appropriate law enforcement agency.



No fire protection district which has jurisdiction to enforce the provisions of this article shall refer an alleged violation of this article to the office of the Sheriff or District Attorney for prosecution unless and until the alleged violation has been reviewed by the County Fire Code Adoption and Revision Commission, and a majority of the Commission members have recommended that the alleged violation be referred to the Sheriff's or District Attorney's Office for enforcement action.

The County Fire Code Adoption and Revision Commission shall have jurisdiction to establish protocols or rules for both designated fire inspectors or fire marshals as well as the manner in which such inspections shall be conducted. Any such rules or protocols recommended by the County Fire Code Adoption and Revision Commission, upon their adoption by the Board of County Commissioners, shall be binding upon those fire protection districts authorized to enforce such codes and standards by this article. The County Attorney's office and Board of County Commissioners shall be notified, by the appropriate fire district, as to the circumstances and particulars of any alleged violation of this article should the matter be referred to the Sheriff's or District Attorney's Office for criminal prosecution.

#### **Section 6. Term defined.**

Wherever the word "jurisdiction" is used in the Uniform Fire Code, it shall mean the specific fire protection district within whose boundaries such code has been adopted by this article for law enforcement purposes. Pursuant to this article, the La Junta Rural Fire Protection District, the Rocky Ford Rural Fire Protection District, the Manzanola Rural Fire Protection District and the Fowler Rural Fire Protection District shall have the legal authority and responsibility to enforce this article within the geographic boundaries of their respective districts.

#### **Section 7. Deletions from Uniform Fire Code.**

The following provisions of the 1997 Uniform Fire Code are hereby expressly deleted and not adopted hereby for enforcement purposes:

Article 1, Section 105, entire, permits;

Article 11, Section 1102, entire, incinerators and open burning;

Appendix I-A, entire, regulations applicable to existing buildings;

Appendix I-B, entire, requirements for existing high rise;

Appendix II-A, entire, suppression and control of hazardous fire areas;

Appendix II-B, entire, protection of flammable or combustible liquids in tank in locations that may be flooded;

Appendix II-D, entire, rifle ranges; and

Appendix VI-B, entire, model citation program.

#### **Section 8. Appeals.**

If a property owner or resident thinks the authorized fire code inspector has not properly applied the provisions of the fire code, or that the true intent and meaning of the fire code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the fire chief to the County Fire Code Board of

Appeals, as appointed by the Board of County Commissioners, pursuant to a separate resolution of the Board of County Commissioners, within thirty (30) days from the date of the decision appealed.

#### **Section 9. New materials, processes or occupancies which may require permits.**

The County Fire Code Adoption and Revision Commission and the fire chiefs of their jurisdictions shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies for which permits are required, in addition to those enumerated in the Fire Code. The chiefs within the respective fire protection districts authorized to enforce this Code, pursuant to this article, shall post such list in a conspicuous place in his office and distribute copies thereof to interested persons.

#### **Section 10. Penalties for violation of fire code.**

a. Any person who shall violate any of the provisions of this Fire Code or standards hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the County Fire Code Board of Appeals or by a court of competent jurisdiction, within the time allowed by the authorized fire code inspector within the jurisdiction of those fire protection districts for which this article has been adopted, shall severally for each and every violation and noncompliance, respectively, be guilty of a misdemeanor, punishable as a violation of a County ordinance in accordance with the provisions of Section 30-15-402, C.R.S., as amended, and subject to a maximum fine of one thousand dollars (\$1,000.00).

b. The application of the criminal penalty in subsection a. of this section shall not be held to prevent or enjoin the court-enforced removal of prohibited conditions under this article.

#### **Section 11. No private cause or action established.**

Notwithstanding the adopting of this article, the Uniform Fire Code, 1997 edition, the creation of a County Fire Code Adoption and Revision Commission, the creation of a County Fire Code Board of Appeals and the appointment of such boards and commissions, as well as the enumeration in this article and the 1997 edition of the Uniform Fire Code adopted hereby of certain duties and responsibilities of such officials, commissions and personnel, nothing in this article or any code, standard, regulation, protocol or procedure adopted pursuant thereto, or the enforcement or failure to enforce this article or any rule, regulation, protocol, code or standard adopted pursuant hereto, shall be construed to relieve any person owning buildings, structures or property governed by this article, or any code, standard, rule, regulation or protocol adopted pursuant to this article, from full responsibility and liability for any violations of this article or any code, standard, rule, regulation or protocol adopted pursuant to this article. The adoption, enforcement or failure to enforce this article, and any code, rule, standard, procedure or protocol adopted pursuant thereto shall not be deemed to create any liability on the part of the County, its officers, agents, servants, employees, the County Fire Code Adoption and Revision Commission, the County Fire Code Board of Appeals and any fire districts' board members, employees or volunteers, nor shall any cause of action or claim against such persons or entities be created hereby. In adopting this article, it is the intent of the Board of County Commissioners to create a duty for the benefit of the public generally and not to create a remedy or benefit for any particular individuals or classes thereof.

## **Section 12. Preexisting nonconforming structures.**

Structures which lawfully exist within the jurisdiction of the La Junta Rural Fire Protection District, the Rocky Ford Rural Fire Protection District, the Manzanola Rural Fire Protection District and the Fowler Rural Fire Protection District prior to the effective date of the ordinance from which this section derived shall be exempt from any provisions of the Uniform Fire Code, 1997 edition, as adopted, which would require the owner, tenant or occupant to make any improvements or alterations to such structures. However, this exemption shall not apply to such a preexisting nonconforming structure should the owner, tenant or occupant make, or cause to be made, any changes to the use or occupancy of the structure after the effective date of the ordinance from which this section derived; or should the owner, tenant or occupant make, or cause to be made, any improvements or alterations to the structure for which the issuance of a building permit from the office of the County building inspector, pursuant to the applicable provisions of the Uniform Building Code, as adopted, is required.

## **Section 13. Open burning – standards adopted pursuant to state law provisions.**

The following fire safety standard is hereby adopted for all the unincorporated areas of the County, pursuant to Sections 30-15-401.5 and 30-15-401(1)(n.5), C.R.S.:

(1) The Board of County Commissioners, by resolution, may ban open fires within the unincorporated areas of the County when the danger of forest or grass fires is found to be high pursuant to Section 30-15-401(1)(n.5), C.R.S.

(2) When the Board of County Commissioners has adopted a fire ban pursuant to Section 30-15-401(1)(n.5), C.R.S., the violation of the terms thereof shall constitute a class 2 petty offense and, upon conviction, shall be punished by a fine of not more than three hundred dollars (\$300.00) for each separate violation. The penalty assessment procedure as provided in Section 16-2-201, C.R.S., may be followed by an authorized enforcement officer. In addition to the fine, persons convicted of a violation are subject to a surcharge of ten dollars (\$10.00) pursuant and subject to the provisions of Section 30-15-401(2), C.R.S.

(3) Enforcement of, and citation for violation of, the provisions of this ordinance may be pursuant to the provisions of Article 15, Part 4, of Title 30, C.R.S., and, in addition thereto, authorized officers from each fire protection district within the County shall also have authority to enforce, and cite for, violations of this ordinance.

## **Section 14. Severability.**

If any one (1) or more of the provisions of this ordinance is determined by a court of law to be invalid, such determination shall not affect the validity of the remaining provisions.

## **Section 15. Repeal.**

Ordinance 99-2 shall be repealed upon the effective date of this ordinance.

## **Section 16. Effective date.**

This ordinance shall be effective thirty (30) days after publication after adoption on second reading.

THIS ORDINANCE was introduced, underwent first reading, and ordered published in the *La Junta Tribune-Democrat* this 15th day of April, 2002.

## ARTICLE 8

### Amendments to Building Code Regulations

*Resolution No. 2007-12*

*December 17, 2007*

A RESOLUTION AMENDING "BUILDING CODE REGULATIONS" AND RELATED PUBLICATIONS REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, DEMOLITION, CONVERSION, OCCUPANCY, USE, HEIGHT, AREA AND MAINTENANCE OF ALL BUILDINGS OR STRUCTURES WITHIN THE UNINCORPORATED PORTIONS OF THE COUNTY OF OTERO; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; PROVIDING FOR PENALTIES FOR THE VIOLATIONS THEREOF; AND REPEALING OTERO COUNTY RESOLUTION #1999-22, 2000-12 AND 2001-16, AS WELL AS ALL OTHER RESOLUTIONS AND ORDINANCES THAT MAY BE IN CONFLICT HEREWITH.

WHEREAS, on December 20, 1999, the Board of County Commissioners of Otero County adopted the 1997 Edition of the Uniform Building Code and its related publications; and

WHEREAS, on April 10, 2000, the Board of County Commissioners of Otero County adopted Resolution No. 2000-12, which amended Resolution No. 99-22; and

WHEREAS, on October 22, 2001, the Board of County Commissioners of Otero County adopted Resolution No. 2001-16, which also amended Resolution No. 99-22; and

WHEREAS, Section 30-28-204, C.R.S., allows for the amendment of the County's building code; and

WHEREAS, the Board of County Commissioner of Otero County is now desirous of repealing Resolution No. 1999-22, Resolution No. 2000-12 and Resolution No. 2001-16, as well as any other resolution or ordinance that may be in conflict herewith, and adopting amended building code regulations and related publication as set forth hereinafter;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioner of Otero County, Colorado, as follows:

1. Resolution No. 1999-22, Resolution No. 2000-12 and Resolution No. 2001-16, as well as any other resolution or ordinance that may be in conflict herewith, are hereby repealed upon adoption of this resolution.

2. In accordance with the public health, safety, morals and general welfare, as well as the safety, protection and sanitation of dwellings, buildings and structures located in the unincorporated area of Otero County, the following (hereafter collectively referred to as the "Building Code") is adopted and administered under the authority granted in Section 30-28-201, et seq., C.R.S.:

(a) The *International Building Code (IBC)*, 2006 Edition, as published by the International Building Code Council, excluding Chapter 11, but including the International Building Code Appendices (except for the following IBC Appendices: Appendix A, B, C, D, E, F, H and K) is incorporated by this reference as part of this Building Code for the purpose of establishing standards for the construction and inspection of dwellings, buildings and structures and the issuance of building permits in the County.

(b) The *International Residential Code (IRC)*, 2006 Edition, as published by the International Residential Code Council, excluding Chapters 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41 and 42, but including the International Residential Code Appendices (except for the following IRC Ap-

pendices: Appendix A, B, C, D, F, G, I, K, L, M, N, O and P) is incorporated by this reference as part of this Building Code for the purpose of establishing standards for the construction and inspection of dwellings, buildings and structures and the issuance of building permits in the County.

Appendix E is further amended to include:

"(1) Section AE501.1 Design:

"If Manufacturer's Installation Instructions are not available, then the following standards must be used:

"Non-Permanent Installations: NCSBS/ANSI A225.1–1994 Manufactured Home Installation (amended);

"Permanent Foundation Installations: Permanent Foundation Guide for Manufactured Housing, September 1996 (amended); and

"Engineered Foundation Systems as required by local jurisdictions.

"If the Colorado Division of Housing Installation Handbook (updated 5/18/01) is utilized, the following will apply: page 15 and 16 of the Handbook will be amended for use in the County as attached hereto.

"(2) Section AE502.3 Footing and Foundations:

"In no event shall less than an eight-inch nominal thickness be used on any footing in the County. (See Exhibit A, Exhibit B, Attachment C and Attachment D.)"

(c) The *International Mechanical Code (IMC)*, 2006 Edition, as published by the International Mechanical Code Council, including Appendix A, is incorporated by this reference as part of this Building Code for the purpose of establishing standards for the inspection of heating, ventilating, cooling and refrigeration equipment in the County.

(d) The *International Fuel and Gas Code*, 2006 Edition, as published by the International Code Council, Inc., including Appendices, is incorporated by this reference as part of this Building Code for the purpose of providing standards for the inspection of fuel gas systems in the County.

(e) The *International Energy Conservation Code*, 2006 Edition, as published by the International Code Council, Inc., excluding Chapter 4, Section 402.2.4 and Table 402.2.4, Sections 402.2.5, 402.2.6, 402.2.7, 402.2.8 and 402.2.10, but including Appendices, is incorporated by this reference as part of this Building Code for the purpose of providing standards for the inspection of energy-efficient buildings in the County.

(f) The *Uniform Code for the Abatement of Dangerous Buildings*, 1997 Edition, as amended, as published by the Conference of Building Officials, is incorporated by this reference as part of this Building Code as the Code of Rules for all dangerous buildings located in the County of Otero.

(g) The State of Colorado has agreed to perform all inspections of electrical and plumbing construction, and the County hereby adopts the most recent State-adopted codes for electrical and plumbing construction and incorporates the same herein as part of this Building Code.

3. There is hereby established a Building Department to be administered by the Building Official, who shall be appointed by the Board of County Commissioners. Pursuant to Section 30-28-205, C.R.S., the County Building Inspector is hereby authorized and directed to administer and enforce all provisions of this Code.

4. The determination of value or valuation under any provisions of this Code shall be made by the Building Official.

5. Buildings or structures used for the sole purpose of providing shelter for agricultural implements, farm products, livestock or poultry, together with buildings one hundred fifty (150) square feet or less and pre-engineered temporary metal one- and two-stall carports are excepted from this Code.

6. Appeals and Review. Section R112 of the International Residential Code shall be applicable and shall be the exclusive remedy of appeals and reviews pertaining to the Building Code and other related publications and/or the enforcement thereof.

7. Valuation. The following valuations schedule shall be used by the Building Official in determining the valuation of the work done:

<i><b>New Residences</b></i>	<i><b>Valuation per Square Foot</b></i>
Wood frames	\$50.00
Masonry	55.00
Basements, finished	12.00
Basements, unfinished	10.00
<i><b>Private Garages</b></i>	<i><b>Valuation per Square Foot</b></i>
Attached, frame	\$10.00
Attached, masonry	12.50
Carports open on two or more sides	6.25
Detached, frame	17.50
Detached, masonry	32.50
Detached, metal	25.00
<i><b>Additions</b></i>	<i><b>Valuation per Square Foot</b></i>
Wood frame	\$37.50
Masonry	42.50
Open patios with roof	6.25
Family fallout shelter	No fee
<i><b>Moved In</b></i>	<i><b>Valuation per Square Foot</b></i>
Building or structure	\$30.00
New manufactured homes	40.00
Used manufactured homes	25.00
<i><b>Alterations or Repairs</b></i>	<i><b>Valuation per Square Foot</b></i>
Contracted	Actual contract price including plumbing, mechanical and electrical
By owner	Actual cost of materials plus 50%
<i><b>Commercial Buildings</b></i>	<i><b>Valuation per Square Foot</b></i>
Contracted	Actual contract price including plumbing, mechanical and electrical

By owner	Actual cost of materials plus 50%
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As stated in paragraph 4 above, the determination of value or valuation under any of the provisions of this Code shall be made by the Building Official.

8. Fees.

(a) Building permit fees. Otero County shall charge the following building permit fees:

<i><b>Total Valuation</b></i>	<i><b>Fee</b></i>
\$1.00 to \$500.00	\$21.00
\$501.00 to \$2,000.00	\$21.00 for the first \$500.00, plus \$2.75 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$62.25 for the first \$2,000.00, plus \$12.50 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$349.75 for the first \$25,000.00, plus \$9.00 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$574.75 for the first \$25,000.00, plus \$6.25 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$887.25 for the first \$100,000.00, plus \$5.00 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$2,887.25 for the first \$500,000.00, plus \$4.25 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00
\$1,000,000.00 and up	\$5,012.25 for the first \$1,000,000.00, plus \$2.75 for each additional \$1,000.00 or fraction thereof

(b) Setup inspection fees. The County shall charge the following setup inspection fees: Setup inspection fees for a single-wide mobile home, manufactured home and factory-built house will be a minimum of two hundred fifty-two dollars (\$252.00); and, if the value of the home/house is greater than twenty-five thousand dollars (\$25,000.00), the fee will be calculated as provided under this resolution for any other structure.

(c) Other inspections and fees:

<i><b>Inspection or Review</b></i>	<i><b>Fee</b></i>
Inspections out of normal business hours (minimum charge: two hours)	\$42.00 per hour
Reinspection fees	\$42.00 per hour
Inspections for which no fee is specifically indicated (minimum charge: one-half hour)	\$42.00 per hour
Additional plan review required by changes, additions or revisions to approved plans (minimum charge: one-half hour)	\$42.00 per hour
Plan review fee for consultants: If the Building Official determines that the plans require review by a third party consultant, the applicant will pay, at the time of application, the estimated cost for the review. After the review is complete, the applicant will be refunded any money that was not needed to pay the consultant, but if the review costs more than the estimate, the applicant is required to pay the additional fees before the building permit will be issued.	

Inspection fee for consultants: If the Building Official determines that a third party consultant is required to properly inspect the project, the applicant and property owner are responsible to reimburse the County for the consultant fee before a certificate of occupancy will be issued.

9. Violation. The provisions of Sections 30-28-209 and 30-28-210, C.R.S., or any successor provision shall apply with regard to the violation and enforcement of the Building Code regulations and related publications.

10. A public hearing on the adoption of said Building Code, 2006 Edition, and its related publications was held before the Board of County Commissioners of Otero County on the 17th day of December, 2007, at 1:30 p.m., at the Otero County Courthouse, Room 107, La Junta, Colorado, and the Building Official published notice of said public hearing in the manner and style prescribed in Section 30-28-204, C.R.S.

11. That, pursuant to Section 30-28-208, C.R.S., upon adoption of this Building Code, the Board of County Commissioners shall keep certified copies in its office, which copies shall be accessible to the public at a cost not to exceed that of printing the same. The Board of County Commissioners shall also file a notice with the County Clerk and Recorder setting forth a description of the area subject to this Building Code. Copies of the Building Code printed by the authority of the Board of County Commissioners shall be prima facie evidence of the original text in any Court or tribunal of the State of Colorado.

12. The territorial jurisdiction of this resolution shall encompass the total unincorporated area of Otero County.

13. If any part, section, subsection, sentence, clause or phrase of this resolution or of the Building Code and its related publications is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this resolution or the Building Code and its related publications.

14. That where, in any specific case, different sections of this Code, the Land Development Code of Otero County or other resolutions or ordinances of the County specify different materials, methods of construction or other requirements, the most restrictive shall govern.

15. That this resolution shall become effective immediately following final passage and approval.

## **EXHIBIT A**

### **Resolution #2007-12 Colorado Division of Housing Installation Handbook, Pages 15, 16**

#### **Footings.**

Footings shall be not less than the width of the pier being supported. Footing material shall be one of the following:

1. 8 inch (20 cm) nominally thick poured-in-place individual concrete footings (see Figure 2.9);
2. A minimum of 8 inch (20 cm) nominally thick continuous concrete footings, not less than 18 inches (46 cm) wide with two continuous #4 rebar. Rebar shall be lapped 12 inches (30 cm) centered vertically in the footings and shall not be closer than 3 inches (8 cm) from the edge of the footing. Rebar shall be located 10 inches (25 cm) apart in the footings and centered beneath the pier location;



3. A minimum 8 inch (20 cm) nominally thick slab not less in area than the manufactured dwelling and cabana, reinforced with approved fibers or with 10 gauge 6 inch (15 cm) wire fabric centered vertically within the slab;
4. Footings designed by a Colorado licensed professional engineer or architect so long as the footings are at least 8 inch (20 cm) nominally thick; or
5. Other equivalent materials approved for the intended use by Otero County so long as the footings are at least 8 inch (20 cm) nominally thick."

**Figure 2.9**  
**Poured Concrete Footing**

